

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 007317

SIPDIS

E.O. 12958: DECL: 11/23/2015

TAGS: [PGOV](#) [PHUM](#) [KPAO](#) [PINS](#) [PROP](#) [TH](#)

SUBJECT: COURT VICTORIES FOR RABBLE-ROUSING JOURNALIST  
SONDHI

Classified By: Political Counselor Susan M. Sutton for Reasons 1.4 (d)

[11.](#) (U) SUMMARY. One week after Sondhi Limthongkul attracted nearly 40,000 people to Bangkok's Lumpini Park with his "mobile talk show", the businessman-turned-media defender won two significant legal victories, including a partial reprieve from last week's gag order on him and his associates. Meanwhile, the PM slapped Sondhi with a fifth lawsuit, this time for criminal defamation. Popular monk Luangta Maha Bua has offered to act as a mediator between Thaksin and Sondhi, although Thaksin was reportedly too busy to show up at the monk's suggested "peace meeting." After initially accusing Sondhi of being in cahoots with the opposition to "topple the government", spokesmen for TRT and the Armed Forces have taken great care to deny the persistent coup rumors which have been swirling about Bangkok, and which have caused the stock market to take a noticeable dip. Tonight's rally, Sondhi's tenth, is poised to be the biggest one yet. END SUMMARY

#### TWO COURT VICTORIES

[12.](#) (U) Sondhi had asked for the support of the Thai public in lifting the gag order which barred him and his colleagues from directly criticizing the Prime Minister on five key issues. On November 21, Sondhi filed an appeal against the order. On November 24, the Thai Civil Court lifted many of the most restrictive parts of the order, while others remained in place. The court ruled that Sondhi and his associates had the constitutional right to criticize and report news about the Prime Minister, who is a public figure. The court further stated that the defendants should be allowed to criticize Thaksin over alleged acts of nepotism, alleged conflicts of interest in business dealings and his alleged misuse of state resources. The gag order would continue to apply to events which occurred before Thaksin became Prime Minister, including those which allegedly netted him much of his satellite and mobile phone empire. The gag order would also continue to bar distribution of video CDs of three of Sondhi's nine mobile talk shows so far, since they touched on issues which were still included in the gag order. (NOTE: The original gag order had banned the distribution of five shows. END NOTE)

[13.](#) (U) Sondhi also won a court victory in Yasothorn Province, which is located in the so-called "Thai heartland" where Thaksin draws much of his support. A provincial court refused a request for an arrest warrant for Sondhi and his co-host Sarocha Pornudomsak for the crime of lese majeste. The court ruled that although Sondhi and Sarocha had referred to the royal family and though this was "improper", there was no evidence that they had committed the crime of lese majeste. Lt. Colonel Thammarak Atthajak, who made the original request, vowed that his office would continue the investigation and would bring the case back to court with unspecified new evidence. A second case, which had been filed in Nakhon Ratchasima, is still under investigation by the Central Investigation Bureau.

[14.](#) (U) On November 22, Sondhi participated in a panel discussion on royal powers and peaceful political reform at Thammasat University. Sondhi outlined his ideas about reforming the constitution in order to safeguard freedom of speech and of the press, and to protect the civil liberties of the Thai people. Among Sondhi's suggestions were (a)- transferring organizations like the Royal Thai Police and the anti-money laundering office (AMLO) from executive to legislative control, (b)- a constitutional right to information from the Government and (c)- a constitutionally mandated mechanism to effectively guard the public interest against crooked politicians. Sondhi also defended his right to speak about the powers of the monarchy, as long as it was not in a disrespectful way, and condemned the current government for its relentless attempts to silence his voice.

[15.](#) (U) On November 23, Thaksin filed a fifth lawsuit against both Sondhi and Sarocha for criminal defamation. The latest suit makes the same allegations as last week's civil lawsuit, which resulted in the gag order. The suit alleges that Sondhi and Sarocha made slanderous remarks about the PM by saying that Thaksin had dishonestly secured state concessions for his satellite and mobile-phone empire.

[16.](#) (U) Luangta Maha Bua, a controversial and popular monk,

has offered to act as a mediator between the two men in order to prevent the conflict from destabilizing the country. It was a sermon made by Luangta in September that sparked the first lawsuit against Sondhi. "The Manager" newspaper, which is owned by Sondhi, published a scathingly critical sermon made by Luangta in which the monk compared Thaksin to an ancient mythological monster. The PM elected to sue to Sondhi, but purposefully left Luangta out of the lawsuit saying the monk, a former supporter, had been kind to him in the past. Luangta dispatched several hundred monks to offer moral support to Sondhi on November 21. That same day he invited both men to come to a "peace meeting" at his monastery in Udon Thani in order to resolve their differences. Sondhi showed up but the Prime Minister took a rain check, saying he had matters of state to attend to, but that he would be happy to meet with the monk, but not necessarily Sondhi, "when time permits."

#### COUP RUMORS SWIRL AROUND BANGKOK

17. (SBU) In a throwback to an earlier age, coup rumors have been swirling around the capital ever since Supreme Commander General Ruengroj Mahasaranond warned that the army might lose patience if Sondhi continued to refer to the monarchy in his rallies. This was followed by statement by several members of the ruling TRT party that Sondhi and the opposition were working together to "topple the government". Sutin Klungsang, a deputy spokesman for TRT went so far as to say that the party had "a piece of in-depth intelligence that a group of people was plotting to overthrow the government." Phumtham Wechayachai, a Deputy Minister, claimed Sondhi's rallies were a practice run for staging a coup. The persistent rumors have become serious enough to have a negative effect on the Thai stock market and have reportedly hurt short-term investor confidence. Government spokesmen have now gone out of the way to assure the public that there is no imminent coup with the Defense Minister and the Prime Minister's Office Minister assuring people that the democratic system was too firmly embedded into Thai society for a coup d'etat to take place in 2005. Even the Commander-in-Chief of the Army, General Sondhi Bunyaratgalin, felt the need to step into the fray, saying that "You can rest assured that there will be no coup as long as I serve as the Army chief." It is possible that coup rumors were an attempt by the TRT to taint the opposition with a reputation for treasonous tendencies.

#### TONIGHT'S SHOW

18. (U) As Sondhi continues to reveal more and more of the government's alleged indiscretions, Sondhi's rally has morphed into a "one-part talk show, one-part national soap opera" national media event. Organizers say they are bracing for "at least 100,000" spectators for Sondhi's tenth show, to be held November 25 in Lumpini Park, although this number is surely wildly exaggerated. Bangkok police have announced they will be employing over 1,000 officers to maintain security at the rally, which has so far not been a problem. With much better weather than last week's dreary drizzle, Sondhi appears poised to top last week's show.

19. (C) Thaksin and the RTG appear to have realized that the more they hit back publicly against Sondhi, the more popular (and the more press coverage) Sondhi gets. The PM appears to be experimenting with a quieter approach to his Sondhi problem. Despite last Friday's extremely provocative show, which accused the PM and his younger sister of corruption, Thaksin has refrained from making any of the angry, foot-in-mouth statements that have so often made the front pages here. Sondhi has not been arrested, and no draconian measures have been taken against him or his program this week. Sondhi is now under pressure to make each show bigger and better than the last. It may be that Thaksin is waiting for the general public to lose interest, or for Sondhi to go overboard by saying something that crosses the line, either about the monarchy or about a scandal he cannot prove. Considering Sondhi's growing number of listeners in the rest of the country who tune in via radio, the Internet and satellite TV, waiting for the public to get bored might be a dangerous strategy.

BOYCE